

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CIVIL ACTION NOS. LISTED ON THE ATTACHED EXHIBITS:

**JOINT MOTION TO DISMISS DEFENDANT
AMERICAN MEDICAL SYSTEMS, INC. WITH PREJUDICE**

Plaintiffs in the cases listed on the attached Exhibits A-J and defendant American Medical Systems, Inc. (“AMS”) advise the Court that they have compromised and settled all claims between them in these actions, including all counterclaims, cross-claims and third party claims. Accordingly, Plaintiffs and AMS jointly move the court to dismiss AMS as a defendant in these actions with prejudice, and terminate AMS from the docket in the actions, parties to bear their own costs. Other defendants remain in these actions, and plaintiffs will continue to pursue these actions against them.

Respectfully:

/s/ Barbara Binis

Barbara Binis
REED SMITH
Three Logan Square, Suite 3100
1717 Arch Street
Philadelphia, PA 19103
215.851.8100 (phone)
215.851.1420 (fax)
bbinis@reedsmith.com

/s/ Erik W. Legg

Erik W. Legg
FARRELL, WHITE & LEGG PLLC
P.O. Box 6457
Huntington, WV 25772-6457
304.522.9100 (phone)
304.522.9162 (fax)
ewl@farrell3.com

Attorneys for Defendant American Medical Systems, Inc.

/s/ Aimee H. Wagstaff
Aimee H. Wagstaff
ANDRUS WAGSTAFF
7171 West Alaska Drive
Lakewood, CO 80226
303.376.6360 (phone)
303.376.6361 (fax)
Aimee.Wagstaff@ahw-law.com
Attorney for Plaintiffs on Exhibit A

/s/ Robert J. Fenstersheib
Robert J. Fenstersheib
ROBERT J. FENSTERSHEIB &
ASSOCIATES
520 West Hallandale Beach Boulevard
Hallandale, FL 33009
954.456.2488 (phone)
954.212.2980 (fax)
rjf@fenstersheib.com
Attorney for Plaintiffs on Exhibit C

/s/ W. Mark Lanier
W. Mark Lanier
THE LANIER LAW FIRM
Sixth Floor
126 East 56th Street
New York, NY, 10022
212.421.2800 (phone)
212.421.2878 (fax)
WML@lanierlawfirm.com
Attorney for Plaintiffs on Exhibit E

/s/ Jerrold S. Parker
Jerrold S. Parker
PARKER WAICHMAN
6 Harbor Park Drive
Port Washington, NY 11050
516.466.6500 (phone)
516.466.6665 (fax)
jerry@yourlawyer.com
Attorney for Plaintiffs on Exhibit G

/s/ J. Mark Kell
J. Mark Kell
KELL LAMPIN
Suite 407
14500 South Outer Forty
Chesterfield, MO 63017
636.498.4878 (phone)
636.498.3971 (fax)
mark.kell@KellLampinLaw.com
Attorney for Plaintiffs on Exhibit B

/s/Majed Nachawati
Majed Nachawati
FEARS NACHAWATI LAW FIRM
Suite 715
4925 Greenville Avenue
Dallas, TX 75206
214.890.0711 (phone)
Fax: 214/890-0712 (fax)
mg@fnlawfirm.com
Attorney for Plaintiff on Exhibit D

/s/Paula do Amaral
Paula do Amaral
LIEFF CABRASER HEIMANN &
BERNSTEIN
8th Floor
250 Hudson Street
New York, NY 10013
212.355.9500 (phone)
212.355.9592 (fax)
pdoamaral@lchb.com
Attorney for Plaintiffs on Exhibit F

/s/ Sarah J. Showard
Sarah J. Showard
SHOWARD LAW FIRM
Suite 253
4703 East Camp Lowell Drive
Tucson, AZ 85712
520.622.3344 (phone)
520.881.9260 (fax)
sjshoward@showardlaw.com
Attorney for Plaintiff on Exhibit H

/s/ Paul Hanly

Paul Hanly

SIMMONS HANLY CONROY

112 Madison Avenue

New York, NY 10016-7416

212.784.6400 (phone)

212.784.6420 (fax)

phanly@hanlyconroy.com

Attorney for Plaintiff on Exhibit I

/s/ Leslie C. MacLean

Leslie C. MacLean

WATERS & KRAUS

Suite 700

3141 Hood Street

Dallas, TX 75219

214.357.6244 (phone)

214.357.7252 (fax)

lmaclean@waterskraus.com

Attorney for Plaintiffs on Exhibit J

Dated: _____

EXHIBIT A – ANDRUS & WAGSTAFF

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:12-CV-09495	Elizabeth Couch v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:14-CV-17860	Linda Raymond v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT B – KELL LAMPIN

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV-18435	Ruby Jarvis, Shawn Jarvis v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT C – ROBERT J. FENSTERSHEIB & ASSOCIATES

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV-22969	Julie D. Fournier, Mark Fournier v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc., C. R. Bard, Inc., Tissue Science Laboratories Limited
2:13-CV-28842	Kathy Baxter v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT D – FEARS NACHAWATI LAW FIRM

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:12-cv-01643	Julie A. Skeens v. Johnson & Johnson, Ethicon, Inc., American Medical Systems, Inc.

EXHIBIT E – THE LANIER LAW FIRM

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV-09259	Lisa M. Seguire, Mark W. Seguire v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc., Boston Scientific Corporation
2:13-CV-16188	Pamela Jean Myers v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT F – LIEFF CABRASER HEIMANN & BERNSTEIN

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:14-CV-31315	Jeanine Lea Palmer Schoenert, Mark Stephen Schoenert v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT G – PARKER WAICHMAN

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:12-CV-03153	Pamela R. Putt, William R. Putt v. Ethicon, Inc., Johnson & Johnson, and American Medical Systems, Inc.
2:13-CV-07389	Marie M. Spohrer, James Spohrer v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc., American Medical Systems Holdings, Inc., Endo Pharmaceuticals, Inc., Endo Health Solutions Inc.

EXHIBIT H – SHOWARD LAW FIRM

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:14-CV-29143	Christina Marie Juarez v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT I – SIMMONS HANLY CONROY

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV-24752	Jo Ann M. Mattioli v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

EXHIBIT J – WATERS & KRAUS

CIVIL ACTION NUMBER (listed numerically in ascending order)	CASE NAME
2:13-CV-10177	Sarah E. Veselenak, John Veselenak v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.
2:13-CV-17366	Ella Polyak, Leonid Polyak v. Ethicon, Inc., Johnson & Johnson, American Medical Systems, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on _____, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in these member cases.
